

**REMARKS**

Claims 1-6 and 8-24 are presently pending. Claim 7 is cancelled without prejudice.

Claim 1 is amended to recite, among other limitations, "wherein classifying the audio signal further comprises turning on a flag in a header of a packet of digital audio information, wherein the flag provides an indication of classification of the audio signal based upon comparison of the recorded result of analysis and the threshold value".

Claim 1 was rejected under 35 U.S.C. § 102 as being anticipated by Saunders. Examiner has indicated that Saunders does not specifically teach the foregoing limitation. However, Examiner has indicated that "Benyassine teaches turning on a flag in a header of a packet of digital audio information (all flags used to mark audio frames are shown in Table 1, column 9), wherein the flag provides an indication of classification of the audio signal".

Assignee respectfully traverses the rejection and submits that Benyassine does not even teach a packet or packetization, much less the claimed "turning on a flag in a header of a packet of digital audio information" (emphasis added). Accordingly, Assignee respectfully requests that Examiner withdraw the rejection to claim 1 as amended, and to dependent claims 2-6, and 8-15.

Claim 16 is amended to recite, among other limitations, "a circuit for packetizing the audio signal into packets, said packets including a header, said header including a flag indicating classification of the audio signal". It is respectfully submitted that Saunders and Benyassine do not teach or fairly suggest the foregoing limitation.

**Conclusion**

For at least the foregoing reasons, each of the pending claims are in a condition for allowance and Examiner is requested to pass the case for issuance.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,



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Dated: June 26, 2007

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